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Case No. 13-36708 (CGM)

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

Chapter 7

In Re:

NANCY L. CARPENTER,

Adversary No.: 13-09029 (CGM)

Debtor.

ROBERT C. ROZELL,

PLAINTIFF/APPELLANT

v.

NANCY L. CARPENTER,

DEFENDANT/APPELLEE

x

**NOTICE OF APPEAL**

Robert C. Rozell (“Rozell”), by and through his counsel, hereby appeals under 28 U.S.C. §158(a) from that final order entered in this adversary proceeding, *Rozell v. Carpenter*, Chapter 7 case no.:13-36708 and adversary case no.:13-09029, on May 26, 2016 at Docket No. 73 entitled “Order Granting Defendant’s Motion for Summary Judgment.”

The names of all parties to the order appealed from along with the addresses, and telephone numbers of their respective attorneys are as follows:

**Appellant:**

Robert C. Rozell  
109 Highview Drive  
Carmel, NY 10512  
(845) 279-1805

**Counsel to Appellant:**

Bronson Law Offices, P.C.  
480 Mamaroneck Ave.  
Harrison, NY 10528  
(914) 269-2530

**Debtor and Party to OrderAppealed from:**

Nancy Carpenter  
308 Misty Hills Lane  
Carmel, New York 10512  
(phone number unknown)

**Counsel to Nancy Carpenter**

Francis J. O'Reilly, Esq.  
1961 Route 6  
Carmel, New York 10512  
(845) 225-5800

The order being appealed is attached hereto as Exhibit A.

Dated: Harrison, NY  
June 7, 2016

BRONSON LAW OFFICES, P.C.

By: /s/ H. Bruce Bronson  
H. Bruce Bronson, Esq.

## **EXHIBIT A**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re:

NANCY L. CARPENTER,

Bankruptcy Case No.: 13-36708(cgm)

Debtor,

-----X

ROBERT C. ROZELL,

Plaintiff,

Adversary No.: 13-09029(cgm)

-against-

NANCY L. CARPENTER,

Defendant.

-----X

**ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**

Upon the application of Nancy Carpenter, the defendant herein, for summary judgment supported and opposed by the following documents:

1. Declaration of Francis J. O'Reilly dated February 26, 2016; and
2. Deposition transcript of the deposition of Nancy Carpenter held April 28, 2014; and
3. Debtor's response to plaintiff's interrogatories dated April 11, 2014; and
4. Response to plaintiff's amended second request for interrogatories sworn to on September 9, 2015; and
5. The decision of Hon. Chief United States Bankruptcy Judge on the plaintiff's motion for summary judgment rendered November 10, 2015; and
6. The memorandum of law of Francis J. O'Reilly dated February 26, 2016; and
7. The reply to summary judgment filed by defendant of H. Bruce Bronson dated May 3, 2016; and

Upon the hearing held and concluded on May 10, 2016; and

After having had due and adequate consideration of the facts and law underlying the controversy, it is

ADJUDGED that the defendant's motion for summary judgment is granted in its entirety; and it is further

ORDERED that plaintiff's complaint be and is dismissed ~~with costs and disbursements.~~

Dated: May 26, 2016  
Poughkeepsie, New York



/s/ Cecelia G. Morris

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**Hon. Cecelia G. Morris  
Chief U.S. Bankruptcy Judge**